W. P. No. 651 of 2004 (M/B)

Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

Heard Mr. Lok Pal Singh, learned counsel for the petitioners, Mr. Siddhartha Sah, Advocate holding brief of Mr. Sharad Sharma, learned counsel for respondent No. 3 and Mr. D.K. Sharma, learned Government Advocate.

This writ petition will not lie for the simple reason that this is a pure civil matter. The public prosecutor also makes a statement that, at least till today, the Investigation Officer has not been able to collect any substantial evidence.

Therefore, there will be no question of proceeding with this writ petition. However, if the action is to be taken against the accused persons, then, the accused persons shall be given 7 days notice.

With these observations, the writ petition is disposed of. All the applications in this writ petition are also closed.

(IH, J.) **(VSS, C.J.)**

05.10.2004 **05.10.2004**

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